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November 3, 2009

Hon. Stanley R. Chesler, U.S.D.J.
Martin Luther King, Jr., Fed'l Bldg. & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *U.S. v. James Cross, et al.*,
Case No. 09-cr-299 (SRC)

Dear Judge Chesler:

Enclosed please find a proposed form of Order with two subpoenas attached, which both Defendants respectfully request the Court enter. The subpoena requesting recordings, radio transmissions, logs, etc., has previously been agreed to by the Government, pursuant to discussions between myself and AUSA Rodney Villazor. The other subpoena, requesting Paterson Policy Policies and Procedures, among other things, are needed by the Defendants' Police Expert to prepare his report. Although the items requested in this subpoena have not been agreed to by the Government, the Government has been provided with copies of both subpoenas, as well as notice of the proposed expert testimony, in writing, in advance of this application.

The dates of the subpoenas and the return dates and times have been deliberately left blank for the Court to enter as it sees fit. Should the Court enter the Order, I will pick up the subpoenas, obtain the Clerk's raised seal thereon, and have them served.

Should the Court have any questions or require anything further, please do not hesitate to contact me.

Respectfully,

OLEJAR & OLEJAR, LLP

By: 

ROBERT J. OLEJAR, ESQ., C.P.A., C.F.E.

Hand-delivered w/enclosures

cc. AUSA Rodney Villazor, w/enclosures
Michael V. Gilberti, Esq., w/enclosures

UNITED STATE DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

**SAMUEL GRAVES and
JAMES CROSS**

Hon. Stanley R. Chesler

Criminal No. 09-cr-299 (SRC)

**ORDER COMPELLING PRE-TRIAL
PRODUCTION OF DOCUMENTS AND
OBJECTS PURSUANT TO FED.R.CRIM.P.
17(c)**

The Court having considered Defendants' Application Requesting Pre-Trial
Production of Documents and Objects under Fed.R.Crim.P. 17(c), and GOOD CAUSE
APPEARING:

IT IS HEREBY ORDERED that Defendants' Application is **GRANTED** and
the Clerk of the Court is directed that subpoenas annexed to this Order shall be issued,
compelling the Paterson New Jersey Police Department to produce the documents and objects
listed therein at this Court, on November 10, 2009, at 10:00 AM or at such
other place to which the parties may agree.

Dated: November 4, 2009

Submitted By:

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THE HONORABLE STANLEY R. CHESLER
UNITED STATES DISTRICT JUDGE